## IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY THE SOUND OF THE PARTY OF THE P TENNESSEE AT NASHVILLE

In re:

**BRIDGESTONE/FIRESTONE TIRE** LITIGATION

Case No. 01 MD 3 Judge Brothers

**ALL CASES** 

## **ORDER**

Firestone has filed a motion styled Firestone's Motion to Continue July 17 Motion, seeking the continuance of the July 17, 2003 motion hearing scheduled in this case and the associated briefing deadlines, and for certain other relief. The motion was heard by conference call on July 9, 2003.

For good cause shown, including the order dated July 8, 2003 from the Court of Appeals granting Defendants' motion to stay pending resolution of the interlocutory appeal, the Court hereby orders as follows:

- Firestone's motion to continue is granted. The motion hearing set on July 17 in 1. this case is hereby continued indefinitely, subject to being reset as discussed below;
- The filing of any oppositions, replies, other briefing, or other materials related to 2. the motions previously set for hearing July 17, is hereby stayed indefinitely, to be rescheduled in conjunction with the motion;
- All deadlines in the upcoming Case Management Order for filing or service of 3. any motions, briefs, or other papers are stayed, subject to being reset as discussed below;
- All scheduled court proceedings are stayed, subject to being reset as discussed 4. below;

- 5. The scheduled depositions of the parties' experts shall not be stayed, but shall continue and be taken as previously set by agreement. However, the depositions of Hal Horton, Esq. and Cory MacGillivray, Esq. will not be taken until the pending motions to quash those depositions filed by Defendants Ford and Firestone have been heard and resolved by this Court, and then only as and to the extent permitted by the Court's ruling on such motions;
- 6. In the event that the July 8, 2003 Order from the Court of Appeals granting Defendants' motions for stay pending appeal shall be reversed or modified, and to the extent consistent with any such subsequent order of the Court of Appeals, the matters that have been stayed will be re-set by the Court after consultation with counsel, such that counsel shall have an equivalent amount of time to prepare and serve and file any motions, briefs, oppositions, or other papers called for under the case management deadlines, and sufficient time to prepare for any hearings or other court proceedings. In such event, and as consistent with any subsequent order of the Court of Appeals, the Court shall set the July 17 motions for hearing, and shall establish a schedule to complete the briefing of such motions.

ENTER this	day of	, 2003.	

Thomas W. Brothers, Circuit Court Judge

APPROVED FOR ENTRY:

NEAL & HARWELL, PLC

By:

James F. Sanders, #5267 A. Scott Ross, #15634

2000 One Nashville Place 150 Fourth Avenue, North Nashville, Tennessee 37219

(615) 244-1713

Counsel for Firestone

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served, via the method(s) indicated below, on the following counsel of record, this the <u>lb</u> day of July, 2003.

( ) Hand ( v ) Mail ( v ) Fax ( ) Fed. Ex. ( ) E-Mail	Steve North 1215 Gallatin Pike, South Madison, Tennessee 37115
( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Richard L. Denney Lydia JoAnn Barrett Denney & Barrett 870 Copperfield Drive Norman, Oklahoma 73072
( ) Hand ( V) Mail ( ✓) Fax ( ) Fed. Ex. ( ) E-Mail	Robert L. Langdon Langdon, Emison, Kuhlman & Evans, LLC 911 Main Street P.O. Box 220 Lexington, Missouri 64067

( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Mary A. Parker Parker & Crofford 209 10th Avenue South Cummins Station, Suite 511 Nashville, TN 37203
( ) Hand ( ✓ ) Mail ( ✓ ) Fax ( ) Fed. Ex. ( ) E-Mail	Stephen A. Marcum Standsbury, Petroff, Marcum & Blakely P. O. Box 240 Huntsville, Tennessee 37756
( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Richard LaGarde, Esq. LaGarde Law Firm 24 Greenway Plaza, Suite 400 Houston, TX 77046
<ul> <li>( ) Hand</li> <li>( √ ) Mail</li> <li>( √ ) Fax</li> <li>( ) Fed. Ex.</li> <li>( ) E-Mail</li> </ul>	Colin Smith Charles E. Joern Holland & Knight, LLP 131 S. Dearborn Street 30 <sup>th</sup> Floor Chicago, IL 60603-5001
( ) Hand ( ✓ ) Mail ( ✓ ) Fax ( ) Fed. Ex. ( ) E-Mail	Steven A. Riley Salvador M. Hernandez Bowen, Riley, Warnock & Jacobson 1906 West End Ave Nashville, TN 37203
( ) Hand ( v) Mail ( v) Fax ( ) Fed. Ex. ( ) E-Mail	John M. Merritt Merritt & Associates 917 North Robinson P.O. Box 1377 Oklahoma City, Oklahoma 73101
( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Michael B. Jolly, Esq. 1018 Preston, 4th Floor Houston, TX 77002

( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Daryl M. South, Esq. 300 East Vine Street Murfreesboro, TN 37130
( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Jonathan Cole, Esq. Baker, Donelson, Bearman & Caldwell 211 Commerce Street, Suite 1000 Nashville, TN 37201
( ) Hand ( ) Mail ( ) Fax ( ) Fed. Ex. ( ) E-Mail	Joseph C. Weinstein, Esq. Roger M. Gold, Esq. Squire, Sanders & Dempsey, LLP 4900 Key Tower 127 Public Square Cleveland, OH 44114